

REMARKS

The Applicants do not believe that examination of this response will introduce new matter into the present application for invention. Therefore, the Applicant, respectfully, requests that this response be entered in and that the claims to the present application, kindly, be reconsidered.

The Final Office Action dated November 3, 2005 has been received and considered by the Applicants. Claims 1-21 are pending in the present application for invention. Claims 1-4 and 6-21 are rejected by the November 3, 2005 Final Office Action. The Examiner objects to claim 5 as being dependent upon a rejected claim but is otherwise stated as being allowable. The foregoing amendment has placed Claim 5 in independent form including all the limitations from the claims from which claim 5 depended.

The Final Office Action asserts that the term watermark can be a physical watermark on the carrier that is transferred; which reads on transmitted and even derived. The rejected claims define subject matter for first and second characteristics of the content on an information carrier that are independently derived and compared. The rejection seeks to add these elements to the cited references. The Applicants, respectfully, point out that there is no disclosure or suggestion, within the cited references for first and second characteristics of the content on an information carrier that are independently derived and compared.

The Office Action rejects Claims 7, 8 and 12-21 under the provisions of 35 U.S.C. §102(b) as being anticipated by PCT WO 99/11064 published in the name of Linnartz (hereinafter referred to as Linnartz). The Applicants, respectfully, point out that Linnartz (as discussed on page 9, beginning on line 16) teaches a record carrier 51 having a physical mark P and video content contained watermark W. The record carrier is played in drive 52 by reading means 53. The reading means has a control unit that detects physical mark to control switch 54. Note that there is no disclosure or suggestion for switch 54 to be controlled other than by the reading means controlling switch 54. The position taken in the rejection is that the disclosure by Linnartz for the electronic signatures anticipates the deriving of the first and second characteristics of the content as well the comparison of the first and second characteristics of the

content. The Applicants, respectfully, point out that Linnartz teaches to have the drive 52 electronically sign the content and the decoder returns a watermark with appropriate signatures. There is no disclosure or suggestion for deriving by the reading device of a first characteristic of the content of information and receiving a second characteristic of the content of information from the application device, wherein the characteristics are verified by comparison and wherein the result of the comparison is used to stop the transmission, playback and/or recording of information in case of a mismatch of the characteristics.

Linnartz explicitly states that detection of the watermark is outside the drive (page 10, line 13). The position of the Examiner appears to be that the signing of a ticket by MPEG decoder 57 and sending the signed ticket to the drive is equivalent to receiving a second characteristic of the content of information. The Applicants assert that signing a ticket does not disclose or suggest the derivation of characteristics of content. There is nothing within Linnartz that would indicate that the tickets have any relation to the content.

Regarding Claim 7, the rejection asserts that Linnartz disclose the limitations associated with a method of exchanging copy protection information for an information carrying medium between a reading and application device. Claim 7 defines subject matter for the content of information to be information contained on the information carrying medium. Therefore, the comparison of the first and second characteristics of the content of information relates to a comparison of characteristics of content that is contained on the information carrying medium. The Applicants, respectfully, point out that Linnartz does not disclose or suggest a comparison of characteristics of content that is contained on the information carrying medium. The physical mark within Linnartz is not transmitted by the reader. Furthermore, the hash signal within Linnartz is transmitted by the reader. The decoder, within Linnartz, does not transmit a hash signal. There is no disclosure or suggestion for the signatures to be characteristics of the content of information that is contained on the information carrying medium within Linnartz. Therefore, any comparison within Linnartz is not a comparison of first and second characteristics of the content contained on the information carrier. Therefore, Claim 7 clearly distinguishes over the teachings of Linnartz.

Regarding Claim 8, the rejection asserts that Linnartz discloses the subject matter defined by rejected Claim 8. Claim 8 defines that the content of information is

information contained on the information carrying medium. There is no disclosure or suggestion within Linnartz deriving first and second characteristic from content contained on the information carrying medium and comparing the first and second characteristics for a match. The physical or control signal representing the watermark is compared with the derived watermark signal from the decoder. The Applicants, respectfully point out that the physical mark within Linnartz is not transmitted by the reader. Furthermore, within Linnartz, the hash signal is transmitted by the reader. The decoder, within Linnartz, does not transmit a hash signal. The signatures within Linnartz are not characteristics of the content of information that is contained on the information carrying medium. Therefore, Linnartz can not perform a comparison of the first and second characteristics as defined by Claim 8. Accordingly, the subject matter of Claim 8 is not disclosed or suggested by Linnartz.

Regarding Claims 12-13, the rejection asserts that Linnartz disclose the subject matter defined by Claim 12 and 13. Claim 12 defines subject matter that clearly identifies that the first characteristic is derived from the content of information from the first source. Claim 12 further defines that a second characteristic is received from a different source and a comparison determines whether the first and second characteristics match. The Applicants, respectfully, submit that this subject matter clearly distinguishes Claim 12 from the teachings of Linnartz.

Claim 13 defines that the first and second characteristics are derived from the content of information on a record carrier. There is no disclosure, or suggestion, within Linnartz for deriving characteristics from content on a record and determining by comparison if the first and second characteristics match. Therefore, the Applicants, respectfully, submit that Claim 13 is allowable over the teachings of Linnartz.

Regarding Claims 14-16, the Examiner states that Linnartz et al. disclose the subject matter of Claims 14-16. Claim 14 defines subject matter for the deriving of a first characteristic from a first portion of a first information signal in a first apparatus and comparing the first and second characteristics to determine if transmission should be stopped. The Applicants respectfully submit that there is no disclosure or suggestion for deriving a first characteristic from a first portion of a first information signal and comparing the first and second characteristics to determine if transmission should be

stopped by Linnartz. Therefore, the Applicants, respectfully, submit that Claim 14 is allowable over Linnartz.

Claim 15 depends from Claim 14 and is believed to be allowable for that reason.

Claim 16 defines that the first and second portions are read from a record carrier. Linnartz does not disclose or suggest first and second characteristics that are derived from portions contained on a record carrier and compared to determine if transmission should be stopped. Therefore, Claim 16 is believed to be allowable.

Regarding Claim 17, the rejection asserts that Linnartz discloses the subject matter for receiving a content of information from a first source and deriving a first characteristic from the content of information, a second characteristic received from a second source, and a comparison that determines if the second characteristic matches the first characteristic. The Applicants, respectfully, disagree. Linnartz does not disclose or suggest comparing first and second characteristics that are derived from the content of information.

Regarding Claim 18, Claim 18 defines that the first source is a record carrier that contains the content of information, the second source derives the second characteristic from the content of information a comparison to determine if the second characteristic matches the first characteristic. Linnartz do not disclose or suggest comparing first and second characteristics that are derived from the content of information of a record carrier.

Regarding Claim 19, the rejection asserts that this claim is anticipated by Linnartz. Claim 19 defines a first receiver for receiving a portion of information and deriving a first characteristic from the portion of information and comparing the first characteristic with the second characteristic and for terminating transmission of further portions of the information depending on the comparison. Linnartz do not disclose or suggest comparing first and second characteristics that are derived from the portion of information.

Regarding Claim 20, the rejection asserts that this claim is anticipated by Linnartz. Claim 20 defines the first receiver is an information carrier reader containing the portion of information and the second receiver receives an electronic signal and the second characteristic is derived from of the portion of the information using encryption. Linnartz do not disclose or suggest comparing first and second characteristics that are derived from the content of information of a record carrier.

Regarding Claim 21, the rejection asserts that Claim 21 is anticipated by Linnartz. Claim 21 defines that the transmitter that transmits a content of information contained on a storage device and derives a first characteristic from the content of information. The receiver is defined to derive a second characteristic from a portion of the transmitted information and transmits the characteristic, and the transmitter further is defined for comparing the first characteristic to the second characteristic to determine if the characteristics match. Linnartz do not disclose or suggest comparing first and second characteristics that are derived from the content of information of a storage device.

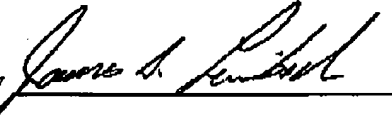
The Office Action Claims 1-4, 6 and 9-11 are rejected under the provisions of 35 U.S.C. §103(a) as being obvious over Linnartz et al. in view of U.S. Patent No. 5,915,027 issued to Cox et al. (hereinafter referred to as Cox et al.)

The rejected claims define subject matter for a comparison of the first and second characteristics of the content of information that is contained on the information carrying medium. The Applicants, respectfully point out that within Linnartz the physical mark is not transmitted by the reader. Furthermore, within Linnartz the hash signal is transmitted by the reader. The decoder, within Linnartz, does not transmit a hash signal. Additionally, the signatures within Linnartz are not characteristics of the content of information that is contained on the information carrying medium within Linnartz. Therefore, the comparison within Linnartz is not a comparison of the first and second characteristics as defined by the rejected claims. Accordingly, the foregoing subject matter is not taught or suggest by Cox et al. Therefore, the rejected claims are believed to be allowable.

Applicant is not aware of any additional patents, publications, or other information not previously submitted to the Patent and Trademark Office which would be required under 37 C.F.R. 1.99.

In view of the foregoing amendment and remarks, the Applicant believes that the present application is in condition for allowance, with such allowance being, respectfully, requested.

Respectfully submitted,

By 

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